

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	Criminal No.: 4:19-CR-576
Plaintiff,)	
)	
v.)	JUDGE PATRICIA A. GAUGHAN
)	
JAMES REARDON,)	
)	<u>DEFENDANT’S, UNOPPOSED MOTION</u>
Defendant.)	<u>TO CONTINUE PRETRIAL, TRIAL, AND</u>
)	<u>RELATED DEADLINES BEYOND</u>
)	<u>THE 70-DAY LIMIT</u>
)	

Now comes the Defendant, James Reardon, by and through undersigned Counsel, and hereby respectfully moves this Honorable Court to continue the pretrial, trial, and related deadlines beyond the seventy (70) day limit.

The case involves allegations of telecommunication threats and possessing a firearm. The case also involves a voluminous amount of discovery in the form of discs, which require a significant amount of additional time to review and investigate prior to trial. Mr. Reardon understands that pursuant to 18 U.S.C. Section 3161(h)(8) he is entitled to a trial within seventy (70) days after arraignment, or filing of the indictment, whichever occurs later in time. Mr. Reardon also understand that this Honorable Court must make the necessary findings in order for a continuance to be justified. Mr. Reardon further understands that the above-referenced Act excludes certain periods of time and specified circumstances, including, but not limited to, a delay resulting from a continuance granted by a Judge on his Motion or at the request of the Defendant or his counsel...if the Judge grants such a continuance on the basis on findings that the ends of justice served by taking such an action outweigh the best interests of the public and the Defendant ends speedy trial. 18 U.S.C. Section 3161(h)(8).

Mr. Reardon further understands that this Honorable Court may consider several factors in determining whether to grant a continuance, including, but not limited to, whether the granting of such a continuance in a proceeding would result in a miscarriage of justice. Mr. Reardon recognizes that the above cited law also provides that when “the case is so unusual or so complex, due to the number Defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for a pre-trial proceeding or for the trial itself within the time limits established by this Section.”

Mr. Reardon also understands that additional time is required to review the discovery in this matter and conduct an appropriate investigation prior to entering a plea or preparing the matter for trial. Upon discussion with the Assistant United States Attorney in this matter, the government has no objection or opposition to the within request for continuance.

WHEREFORE, the Defendant, James Reardon, by and through undersigned Counsel, respectfully moves this Honorable Court to continue the pretrial, trial, and related deadlines in the above-captioned matter.

Respectfully submitted,



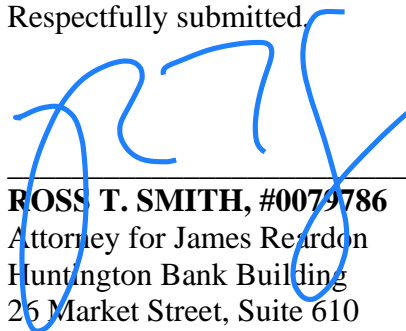
ROSS T. SMITH, #0079786

Attorney for James Reardon
Huntington Bank Building
26 Market Street, Suite 610
Youngstown, OH 44503
Telephone: (800) 457-9295
Facsimile: (800) 910-6030
Email: ross@rosssmithlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2019, a copy of foregoing Unopposed Motion to Continue Pretrial, Trial, and Related Deadlines was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

Respectfully submitted,



ROSS T. SMITH, #0079786

Attorney for James Reardon

Huntington Bank Building

26 Market Street, Suite 610

Youngstown, OH 44503

Telephone: (800) 457-9295

Facsimile: (800) 910-6030

Email: ross@rosssmithlaw.com